

RECORDATION FORM COVER SHEET

PATENTS ONLY

OCT 16 2006

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

Medlyte, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) July 22, 2004

- ☐ Assignment ☐ Merger
☐ Security Agreement ☒ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Lpath Therapeutics, Inc.

Internal Address: _____

Street Address: 6335 Ferris Square

Suite A

City: San Diego

State: CA

Country: USA Zip: 92121

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/820,582

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: BioTechnology Law Group c/o Portfolio IP

Internal Address: _____

Street Address: P.O. Box 52050

City: Minneapolis

State: MN Zip: 55420

Phone Number: 858 350 9690

Fax Number: 858 350 9691

Email Address: dan@biotechnologylawgroup.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☒ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers 6195
Expiration Date 5/09

b. Deposit Account Number _____

Authorized User Name _____

9. Signature:

Daniel M. Chambers
Signature

October, 2006

Date

Daniel M. Chambers
Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: 4



Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "MEDLYTE, INC.", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "LPATH THERAPEUTICS INC.", THE TWENTY-NINTH DAY OF JULY, A.D. 2004, AT 11 O'CLOCK A.M.



2801471 8320

040639463

Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3329353

DATE: 09-01-04

State of Delaware
Secretary of State
Division of Corporations
Delivered 11:00 AM 07/29/2004
FILED 11:00 AM 07/29/2004
RV 040556817 - 2801471 FILE

STATE OF DELAWARE
CERTIFICATE OF AMENDMENT
OF CERTIFICATE OF INCORPORATION



MEDLYTE, INC., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware,
DOES HEREBY CERTIFY:

FIRST: That at a meeting of the Board of Directors of MEDLYTE, INC. resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of said corporation, declaring said amendment to be advisable and calling a meeting of the stockholders of said corporation for consideration thereof. The resolution setting forth the proposed amendment is as follows:

RESOLVED, that the Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered "Article I" so that, as amended, said Article shall be and read as follows: The name of the corporation is Lpath Therapeutics Inc.

SECOND: That thereafter, pursuant to resolution of its Board of Directors, a special meeting of the stockholders of said corporation was duly called and held upon notice in accordance with Section 222 of the General Corporation Law of the State of Delaware at which meeting the necessary number of shares as required by status were voted in favor of the amendment.

THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said corporation shall not be reduced under or by reason of said amendment.

IN WITNESS WHEREOF, said Medlyte, Inc. has caused this certificate to be signed by Scott R. Pancoast, an Authorized Officer, this 22nd day of July, 2004.

By: [Signature]
Authorized Officer

Title: Secretary

Name: SCOTT PANCOAST